IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL MISC. APPEAL No. 1411 of 2004

NATIONAL INSURANCE CO LTD.
V/S
SMT. BHAJAN KAUR & ORS

Mr. JAGDISH VYAS, for the appellant / petitioner

Date of Order : 1.3.2005

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the appellant.

The only contention raised is that the amount awarded is excessive. It is contended that the appellant was granted permission under Section 170 of the Motor Vehicles Act.

I have considered the submissions, and find that the learned Tribunal has found that the deceased was working as a tailor on the shop of International Tailor, proprietor whereof was one Jagdish, and was earning an income of Rs.4000/- per month, and after deducting 1/3rd amount as personal expenditure, has assessed the dependency, and then applying the multiplier appropriate to the age of the claimants, who are the parents, has assessed the compensation, which in my view, cannot be said to be excessive. For the purpose of satisfaction, learned counsel read to me the evidence of claimants as well, and I do not find any error in findings recorded by the learned trial Court in this regard.

The appeal thus, has no force, and is dismissed summarily.

(N P GUPTA),J.

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